

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESale PRICE
LITIGATION

)
) MDL NO. 1456
) Civil Action No. 01-12257-PBS
) Subcategory No. 07-12141

THIS DOCUMENT RELATES TO:

State of Iowa

v.

Abbott Laboratories Inc., et al.

)
) Judge Patti B. Saris
)
)
)
)

FEBRUARY 2011 STATUS REPORT FOR THE STATE OF IOWA

The undersigned counsel for the State of Iowa (hereinafter referred to as “plaintiff”) hereby submits the attached Status Report for February 2011, in accordance with the Court’s June 17, 2004 Procedural Order.

Dated: February 2, 2011

Respectfully submitted,

KIRBY McINERNEY, LLP
825 Third Avenue
New York, New York 10022
(212) 371-6600

By: /s/ Joanne M. Cicala

Joanne M. Cicala

Counsel for the State of Iowa

February 2011 Status Report for the State of Iowa

Voluntary Dismissal of Claims

On December 17, 2010, the court entered an order granting plaintiff's voluntary dismissal of claims against the Johnson & Johnson defendants. *See* Docket No. 7337, Sub-docket No. 100.

On January 26, 2011, plaintiff filed a notice of voluntary dismissal of claims against defendants Sanofi-Aventis US LLC, Sanofi-Aventis US Inc., and CSL Behring LLC. *See* Docket No. 7388, Sub-docket No. 103.

Discovery

1. Joint Motion to Extend Discovery Deadline

On December 17, 2010 plaintiff and defendants filed a joint motion to extend the deadlines to complete discovery. *See* Docket No. 7354, Sub-docket No. 101. This motion was subsequently withdrawn. *See* Docket No. 7391, Sub-docket No. 104.

On January 31, 2011 plaintiffs and defendants filed a renewed joint motion to extend the time to complete discovery. *See* Docket No. 7393, Sub-docket 105. The motion seeks to modify the schedule as follows: (1) all fact discovery timely sought by defendants to be completed by February 18, 2011, (2) plaintiff's expert depositions to be completed by March 17, 2011, (3) defendants' expert reports to be served by April 14, 2011, and (3) defendants' expert depositions to be completed by May 31, 2011. This motion remains *sub-judice*.

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on the 2nd day of February, 2011, she caused a true and correct copy of the above February 2011 Status Report for the State of Iowa to be delivered to counsel of record for defendants by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

Dated: February 2, 2011

/s/ Kathryn B. Allen
Kathryn B. Allen
Kirby McInerney LLP
825 Third Avenue
New York, NY 10022
(212) 371-6600